

Abstract

Loteries and games - financial and legal aspects

This thesis focuses on the regulation of lotteries and other similar games, which is, in the Czech legal order, embodied primarily in Act No. 202/1990 Coll., Lotteries and other similar games, as amended. For analysis of the entire issue of gambling, it is necessary to put the wording of the provisions of this Act in the context of a particular legal case of the Constitutional Court of the Czech Republic and also take into account the impact of European Union law.

The target of this thesis is a complete analysis of the current regulation of lotteries and other similar games, the reasons for the adoption of specific legal provisions and assessment of their actual benefits for practice. There are possible solutions outlined in the thesis for cases where there are conflicts of legal regulation of the lottery industry and the actual state.

Overall, the paper is divided into four chapters, the first of which presents the issues being discussed by explaining the basic concepts, which are mentioned later and worked with.

The second chapter deals with the general level of complete legal grounds of lotteries and other similar games in the Czech legal order, from a constitutional basis through the above mentioned Act No. 202/1990 Coll., Lotteries and other similar games, including implementing legislation related to it, to the jurisprudence of the Constitutional court of the Czech Republic, which in many decisions significantly affected the regulation lottery area. There is also mention of the relevant decision of the Court of Justice of the European Union, in the light of which a number of legal provisions of the Czech legal regulation can be evaluated as opposing the primary European Union law. This chapter includes the prerequisites for the proper operation of lotteries and other similar games, the responsibilities associated with the operation and oversight of the lottery business from the state.

The third chapter is more focused on the legal financial aspects of the operation of casinos. It lists of lotteries and other similar games, which can be operated in a casino and a number of differences from the general rules.

As in other areas of law, changes also occur in gambling that the legislature is trying to capture in legislation. This is why the last chapter of the thesis is dedicated to possible future development of the issues discussed. It mentions Lottery Act amendments that are being prepared as well as guidelines regulation which could provide an entire new lottery law.

Klíčová slova: sázka, hra, loterie, hazardní hry

Key words: bet, game of chance, lottery, gambling